

Application S/N 10/716,262  
Amendment Dated: May 11, 2006  
Response to Office Action dated: January 3, 2006

CE12142JME

### REMARKS/ARGUMENTS

Claims 1-20 remain pending in the application. In the Office Action, claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,157,540 to Oros (Oros) in view of U.S. Patent No. 6,924,742 to Mesina (Mesina). In addition, claims 2, 3, 9-13 and 19-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oros in view of Mesina and further in view of U.S. Patent No. 4,847,818 to Olsen (Olsen). Claims 4 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oros in view of Mesina and further in view of U.S. Patent Application Publication No. 2002/0176586 to Leonard (Leonard). Finally, claims 5-8, 15 and 16-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oros in view of Mesina and further in view of U.S. Patent Application Publication No. 2002/0187757 to Bush (Bush).

Independent claims 1 and 11 have been amended to clarify that the integrated radio is enabled for transmission and receipt of at least voice communication signals from an external source exclusively upon the buckling of the mating portions. Support for the amendments can be found in paragraphs 0011 (pages 2-3) and 0013 (pages 3-4), and no new matter has been added. Applicants submit that Oros and Mesina do not describe, show, teach or even suggest the receipt of at least voice communications signals from an external source. In fact, to do so in Oros would put the user in danger because a criminal may hear the received voice signals, which violates the basic tenet of Oros – the surreptitious notification by the user of a criminal act.

As such, Applicant submits that independent claims 1 and 11 are patentable over the prior art. Applicant also believes that those claims that depend from these

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independent claims are patentable, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

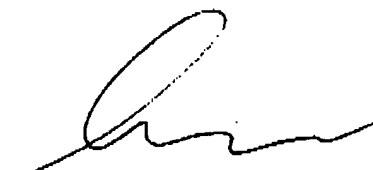
Respectfully submitted,

**SEND CORRESPONDENCE TO:**

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